



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/466,640	12/20/1999	LAURA ANNE MAHAN	81395-146	1424

26123 7590 11/04/2005

BORDEN LADNER GERVAIS LLP  
WORLD EXCHANGE PLAZA  
100 QUEEN STREET SUITE 1100  
OTTAWA, ON K1P 1J9  
CANADA

EXAMINER

FILIPCZYK, MARCIN R

ART UNIT	PAPER NUMBER
----------	--------------

2163

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/466,640

Applicant(s)

MAHAN ET AL.

Examiner

Marc R. Filipczyk

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) 2, 7, 12, 17-19, 25 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-6, 8-11, 13-16, 20-24 and 27-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

***Response to Amendment***

This Action is responsive to Applicant's response filed on August 16, 2005 wherein claims 1, 3-6, 8-11, 13-16, 20-24 and 27-44 are pending.

**To expedite the process of examination Examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. amendments, 35 U.S.C. 112, objections and the like) set forth by the Examiner that Applicants provide and link to the most specific page and line numbers of the disclosure where the best support is found (see 35 U.S.C. 132).**

***Oath/Declaration***

Applicant has not given a post office address anywhere in the application papers as required by 37 CFR 1.33(a), which was in effect at the time of filing of the oath or declaration. A statement over Inventor No. 3 (K. Forbes) signature providing a complete post office address is required. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3-6, 8-11, 13-16, 20-24 and 27-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 3-6, 8-11, 13-16, 20-24 and 27-44, the feature of "modifying contents... by inserting... (URL) links to said search result into said file of said electronic calendar" is indefinite. It is not clear how the modification takes place since a URL cannot be

inserted into a search result in the file if the search result does not exist in the file, instead the search result is only associated with a tag.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 3-6, 8-11, 13-16, 20-24, 27-44 are rejected under 35 U.S.C. 103(a) as best as the Examiner is able to ascertain as being unpatentable over Vora et al. (U.S. Patent No. 5,623,652) in view of Cahill Jr. (U.S. Patent No. 5,428,784) further in view of Stark (U.S. Patent No. 5,935,210).**

Regarding claims 1, 8-11, 20, 23 and 29-32, Vora discloses an apparatus and method for associating information with an object in a file (fig. 2, block 201, Vora), the apparatus comprising a scheduler (fig. 7B, items 727 and 729, Vora) including a component for associating a search key (fig. 2, items 201 and 203, and fig. 7B, keys 726 and 733 with 735, Vora) with the object in the file by tagging the object (fig. 2, items 205 and 207, and fig. 6, box 615 and col. 15, lines 20-27, Vora), wherein said scheduler is operable to schedule a search for local and external information (col. 9, line 56 to Col. 10, line 2, Vora) using said search key for automatic execution at a pre-scheduled time (fig. 2, items 201 and 203, Vora) by a search interface operable to initiate a pre-scheduled search (fig. 7B, Vora), associating a search result with the tag (fig. 6, 617, Vora), and modifying the file with regard to said search result (fig. 6, item 619,

Art Unit: 2163

Vora), but Vora does not teach a file of an electronic calendar or a search associated with a universal resource locator (URL).

(Note: elements 726, 733 and 735 and index are used by the search key: elements 201 and 203)

However, Cahill teaches an apparatus and method for linking internet data (information sources) with a file of an electronic calendar (title and abstract, Cahill). Hence, it would have been obvious to a person of ordinary skill in the art at the time the invention was made having Vora's local and external information sources to modify the local information to comprise a file of an electronic calendar information as in Cahill system. One would have been motivated to use a calendar file in Vora because Vora is concerned with improving searching for information in a local and internet network (col. 9, line 56 to Col. 10, line 2, Vora).

Thus Vora/Cahill disclose all the subject matter as discussed above including associating a file of an electronic calendar with internet data (title and abstract, Cahill) but do not teach a search his associated with a URL.

However, Stark discloses a mapping structure of a collection of computer resources (title and fig. 4, Stark) where an URL is associated with a search object (fig. 5, items 120, 122, 124 and 126, Vora). Hence, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Vora/Cahill system in view of Stark because Vora/Cahill use an internet server to access local and external sources which could be implemented in view of Stark to associate an URL with an object. One of ordinary skill in the art would have been motivated to map URL with objects to link the desired reference of a search.

Regarding claims 3, 4, 13 and 14, Vora/Cahill/Stark disclose tagging and labeling objects (fig. 2, items 205 and 207, and fig. 6, box 615 and col. 15, lines 20-27, Vora).

Regarding claims 5, 6, 15, 16, 21 and 33, Vora/Cahill/Stark disclose scheduling comprises storing (fig. 1, items 11 and 39, Vora) a search key in association with a time of execution at which said search is to be executed (fig. 7B, items 726, 733, 727, 729 and 735, Vora) and identifying said object (figures 2 and 4A, Vora).

Regarding claims 22 and 34, Vora/Cahill/Stark disclose the search comprising a search engine (fig. 2, box 207, Vora).

Regarding claims 24, 28, 36 and 40, Vora/Cahill/Stark disclose running scripts to populate fields of a search engine (fig. 6A, items 202-214, Stark).

Regarding claims 27, 37-39 and 41-44 Vora/Cahill/Stark disclose URL and hyperlinks (fig. 5, items 142, 144, 150, 152, 154 and 156, Stark).

### ***Response to Arguments***

Applicant's arguments filed on August 16, 2005 have been fully considered but they are not persuasive. The arguments and responses are listed below.

Applicant notes on page 10 of the 8/16/05 response that Examiner's Office Action Summery indicates that last Action was Non-Final.

Examiner agrees. Examiner's Office Action mailed on June 2, 2005 was Non-Final.

Applicant argues on pages 12 of the 8/16/05 response that Vora and Cahill do not teach modifying contents of a file of an electronic calendar by inserting one URL link to a search result into the file of the electronic calendar.

Examiner disagrees. The argued segment is not clearly claimed and is rejected under 35 U.S.C. 112, second paragraph. Vora/Cahill teach updating electronic calendar's files (see fig. 6, item 619, Vora and abstract Cahill). Stark further teaches associating a URL with a search object, hence as explained above, Vora/Cahill/Stark all are directed to searching and linking information and together teach the claimed features as best as can be ascertained by the Examiner.

Examiner cites for the record a previously submitted argument and response related to the present claims, specifically regarding Vora/Cahill system:

"Applicant argues on pages 11 and 12 of the 4/21/05 response the logic to combine Vora in view of Cahill, and that Cahill does not teach involving any search results related to any calendar object.

Examiner disagrees. Vora system discloses searching local and external information sources (col. 9, line 56 to col. 10, line 2, Vora) and Cahill discloses linking electronic calendar "local source" with an electronic mail "external source" to find/search scheduled events on the electronic calendar overlapping with a time of receipt of the message sent (col. 4, lines 10-15, Cahill). Both systems are concerned with searching both local and external information sources to improve searching capabilities, and Vora/Cahill hence teach associating search information with a file of an electronic calendar (see rejection above)."

With respect to all the pending claims 1, 3-6, 8-11, 13-16, 20-24, 27-44, Examiner respectfully traverses Applicant's assertion based on the discussion and rejection cited above.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc R. Filipczyk whose telephone number is (571) 272-4019. The examiner can normally be reached on Mon-Fri, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2163

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MF  
November 1, 2005

  
**FRANTZ COBY**  
**PRIMARY EXAMINER**